

5-13-02

1619



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Mueller et al.
SERIAL NO.: 09/891,715
FILED: June 26, 2001
FOR: METHOD AND APPARATUS FOR TREATING ISCHEMIC TISSUE

RECEIVED
MAY 22 2002
TECH CENTER 1600/2900

Assistant Commissioner for Patents
Washington, D.C. 20231

REQUEST FOR WITHDRAWAL AS ATTORNEY (37 C.F.R. § 10.40(c))

REQUEST FOR PERMISSION TO WITHDRAW

1. I, the patent attorney signing below, respectfully request permission to withdraw from all further responsibility in this case, in accordance with 37 C.F.R. § 1.36.

(complete the following item, if appropriate)

☐ Because the amendment referred to in item 4A(iii) below is a continuing application signed only by an attorney named below under

☐ 37 C.F.R. § 1.60(b),

☐ 37 C.F.R. § 1.62(c),

this withdrawal request is also for such continuing application.

LAST KNOWN ADDRESS OF CLIENT

2. The last known mailing address of the:

- ☐ inventor(s)
☒ assignee of the entire interest is

MicroHeart, Inc., 2634 Bayshore Parkway, Mountain View, CA 94043

BASIS FOR WITHDRAWAL REQUEST

3. The basis for the request for withdrawal is 37 C.F.R. 10.40(c).

Explanation (including brief description of exhibits, if any):

Email letter from Scott Bluni of Boston Scientific instructing transfer of all files to Pennie & Edmonds. Copy of the letter is enclosed herewith.

ALLOWANCE OF TIME FOR CLIENT TO ACT

4. Status of this Application

A. Response due (if any)

- (i) ☒ There is no outstanding term for response.
- (ii) ☐ There is an outstanding term for response that was set to expire on *.

The above term is extendible under 37 C.F.R. § 1.136(a), until *.

(complete the following, if applicable)

- (iii) ☐ Also submitted herewith, is a response to the outstanding Official Action.

B. Time Left for Response

Therefore, the amount of time for response, including extension under 37 C.F.R. § 1.136(a), is:

- ☐ at least three months.
- ☒ cannot be calculated because this case is awaiting action by the PTO.

NOTIFICATION OF CLIENT

5. In accordance with 37 C.F.R. § 10.40(a), a copy of this request, including attachments, is being sent to the client.

A copy of the letter to the client is attached.

Note: A practitioner shall not withdraw from employment without giving due notice to his or her client, 37 C.F.R. § 10.40(a).

NUMBER OF COPIES OF REQUEST

6. This request is enclosed in triplicate.

Note: To expedite the handling of request for permission to withdraw as attorney under 37 C.F.R. § 1.36 submit the request in triplicate (original and two copies.) Notice of September 3, 1985 (1058 O.G. 32).

7. Related Applications for Which Withdrawal is Requested

Withdrawal also is requested in the following related application of the:

(check all applicable items)

- ☐ inventor(s):
- ☐ assignee:
- ☐ common representative:

SIGNATURE(S) OF WITHDRAWING ATTORNEY(S) (PRACTITIONER(S))

Note: Each attorney of record must sign the notice of withdrawal or the notice of withdrawal must contain a clear indication of one attorney signing on behalf of another. M.P.E.P. § 402.06, 6th ed., rev. 3.

8. Signature(s) of the attorney(s) withdrawing (or signature of an authorized attorney on behalf of an attorney withdrawing)

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Signature of authorized attorney signing on behalf of all attorneys withdrawing

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